

REMARKS

Applicant has carefully considered the matters raised by the Examiner in the outstanding Office Action but remain of the opinion that patentable subject matter is present. Applicant respectfully requests reconsideration of the Examiner's position based on the above Amendments to the Specification, Amendments to the Claims, and the following remarks.

Claims 1-7 had been examined in this case and Claims 1 and 5 have been amended herein. No claims have been cancelled and, thus, Claims 1-7 are still under prosecution.

Claim 1 has been amended to recite that the ratio of V_a to V_b is greater than or equal (\geq) to 2.5. The Specification has likewise been amended on page 8 to recite that the ratio of V_a to V_b is greater than or equal to (\geq) 2.5. There was an obvious typographical error in Claim 1 and in the Specification at page 8 wherein the greater than or equal to symbol was reversed. Support for this amendment can be found at numerous places in the

Application. Specifically, the Examiner's attention is directed to page 15, 1 in 18, page 35, Table 1, the paragraph bridging pages 37 and 38, Table 3 on page 39, Table 4 on page 40, the first full paragraph on page 41, and the paragraph below Table 6 on page 43.

Claim 5 has been amended herein to recite that the solution that is used for the lowermost layer is formed by diluting the solution used to form the adjacent layer. Respectfully, this was understood by the wording of Claim 5 but is also supported in the Specification by the first full paragraph on page 17.

Turning now to the remarks made in the Office Action, Claim 3 has been objected to as being improperly dependent upon Claim 1 because the limitations in Claim 3 were outside the limitations of Claim 1 and Claim 3 had rejected under 35 U.S.C. 112, second paragraph, for the same reason. Claim 3 is dependent upon Claim 1 and Claim 1 has been amended herein to correct the typographical error with respect to the ratio of V_a and V_b . Respectfully, the amendment made to Claim 1 corrects the inconsistency of Claim 3 since now the limitations of Claim 3 fall squarely within amended Claim 1.

Claim 5 had been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. As noted above, Claim 5 has been amended herein to recite that the solution used to form the lowermost layer is formed by diluting a solution used to form the adjacent layer. Respectfully, Claim 5 is now definite.

Claims 1, 2 and 4-7 have been rejected as being anticipated by Saito while Claim 3 have been rejected as being obvious over the teachings of Saito. Applicant respectfully submits that the amendment made to Claim 1 clearly now defines over the teaching of Saito in that Saito teaches the ratio of V_b to V_a is 1 to 2. In contrast, the present Invention specifically recites that the ratio of V_b to V_a is equal to or greater than 2.5. Thus, it is respectfully submitted that the claims define over the teachings of Saito.

Furthermore, it is submitted that Saito does not teach nor suggest increasing the ratio of V_b to V_a to 2.5 or above. Saito does not teach increasing this ratio nor does he suggest increasing this ratio. Applicant, therefore, respectfully submits that the claims are patentable over Saito.

In view of the foregoing, it is respectfully submitted that this Application is in condition for allowance and such action is respectfully requested.

Should any extensions of time or fees be necessary in order to maintain this Application in pending condition, appropriate requests are hereby made and authorization is given to debit account #02-2275.

Respectfully submitted,

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